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TRADEMARK OFFICE

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA, 22313-1450, on the below date:

Date: September 7, 2004 Name: Anastasia Heffner

Signature: *Anastasia Heffner*

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Robert R. Mantell

Appln. No.: 10/829,485

Examiner:

Filed: April 22, 2004

Art Unit: 1578

For: MIXED-GAS INSUFFLATION SYSTEM

Attorney Docket No: 7034/110

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Transmittal Letter (in duplicate); Information Disclosure Statement; Form PTO-1449; Copies of cited references A58 - A59

Return Receipt Postcard

Fee calculation:

No additional fee is required.

Small Entity.

An extension fee in an amount of \$____ for a ____-month extension of time under 37 C.F.R. § 1.136(a).

A petition or processing fee in an amount of \$____ under 37 C.F.R. § 1.17(____).

An additional filing fee has been calculated as shown below:

| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Small Entity | | Not a Small Entity | | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|--------------------|---------|-----------|
| | | | | | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | | Minus | | | x \$9= | | | x \$18= | |
| Indep. | | Minus | | | x 43= | | | x \$86= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$145= | | | +\$290= | |
| | | | | | Total | \$ | | Total | \$ |

Fee payment:

A check in the amount of \$____ is enclosed.

Please charge Deposit Account No. 23-1925 in the amount of \$____. A copy of this Transmittal is enclosed for this purpose.

Payment by credit card in the amount of \$____ (Form PTO-2038 is attached).

The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Anastasia Heffner

Anastasia Heffner (Reg. No. 47,638)

Date

9-7-04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Robert R. Mantell
Appln. No.: 10/829,485
Filed: April 22, 2004
For: MIXED-GAS INSUFFLATION SYSTEM
Attorney Docket No: 7034/110

Examiner:
Art Unit: 1578

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference(s):

| No. | Date of Publication | Patentee/Applicant/Assignee |
|-----------|---------------------|-----------------------------|
| 2,722,935 | 11/08/1955 | R.E. Thompson et al. |
| 3,464,434 | 09/02/1969 | B.A. Nielsen |
| 3,853,105 | 12/10/1974 | Kenagy |
| 3,862,907 | 01/28/1975 | Shimotsuma et al. |
| 3,982,533 | 09/28/1976 | Wiest |
| 4,048,992 | 09/20/1977 | Lindemann et al. |
| 4,109,656 | 08/29/1978 | Goethel et al. |
| 4,207,887 | 06/17/1980 | Hiltebrandt et al. |
| 4,245,979 | 01/20/1981 | Ito |
| 4,464,169 | 08/07/1984 | Semm |
| 4,640,260 | 02/03/1987 | Perez |
| 4,676,774 | 06/30/1987 | Semm et al. |
| 4,691,900 | 09/08/1987 | Maeda |
| 4,699,173 | 10/13/1987 | Röhling |
| 4,878,894 | 11/07/1989 | Sutter, Jr. et al. |
| 4,884,565 | 12/05/1989 | Cocozza |
| 4,905,497 | 03/06/1990 | Shindo et al. |
| 4,977,776 | 12/18/1990 | Shindo et al. |
| 5,006,109 | 04/09/1991 | Douglas et al. |
| 5,061,239 | 10/29/1991 | Shiels |
| 5,121,700 | 06/16/1992 | Blackwell et al. |
| 5,152,745 | 10/06/1992 | Steiner et al. |
| 5,246,419 | 09/21/1993 | Absten |
| 5,250,287 | 10/05/1993 | Cocozza |
| 5,273,531 | 12/28/1993 | Knoepfler |

| No. | Date of Publication | Patentee/Applicant/Assignee |
|-----------|---------------------|-----------------------------|
| 5,292,304 | 03/08/1994 | Mantell et al. |
| 5,305,698 | 04/26/1994 | Blackwell et al. |
| 5,328,458 | 07/12/1994 | Sekino et al. |
| 5,360,396 | 11/01/1994 | Chan |
| 5,362,310 | 11/08/1994 | Semm |
| 5,363,839 | 11/15/1994 | Lankford |
| 5,411,474 | 05/02/1995 | Ott et al. |
| 5,439,441 | 08/08/1995 | Grimsley et al. |
| 5,464,008 | 11/07/1995 | Kim |
| 5,496,408 | 03/05/1996 | Motoda et al. |
| 5,514,087 | 05/07/1996 | Jones |
| 5,542,412 | 08/06/1996 | Century |
| 5,554,112 | 09/10/1996 | Walbrink et al. |
| 5,586,974 | 12/24/1996 | Martinez et al. |
| 5,599,297 | 02/04/1997 | Chin et al. |
| 5,664,560 | 09/09/1997 | Merrick et al. |
| 5,728,223 | 03/17/1998 | Murakami et al. |
| 5,800,381 | 09/01/1998 | Ognier |
| 5,873,819 | 02/23/1999 | Koch |
| 5,934,274 | 08/10/1999 | Merrick et al. |
| 5,964,223 | 10/12/1999 | Baran |
| 5,979,474 | 11/09/1999 | Manako |
| 5,980,835 | 11/09/1999 | Porozni |
| 6,068,703 | 05/30/2000 | Chen et al. |
| 6,076,745 | 06/20/2000 | Primdahl |
| 6,085,556 | 07/11/2000 | Moon |
| 6,092,364 | 07/25/2000 | Stellwagen |
| 6,116,240 | 09/12/2000 | Merrick et al. |
| 6,203,519 | 03/20/2001 | Fagerström et al. |
| 6,240,943 | 06/05/2001 | Smith |
| 6,299,592 | 10/09/2001 | Zander |
| 6,428,500 | 08/06/2002 | Koninckx |

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

Copy of serial no. 60/421,662, entitled "Dual-Capacity Insufflator Tube", filed October 28, 2002, Mantell, 23 pages.

Copy of serial no. 10/696,675, entitled "Dual-Capacity Insufflator Tube", filed October 28, 2003, Mantell, 29 pages.

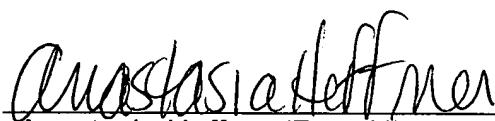
For the Examiner's convenience, Applicant is enclosing Form PTO-1449 (two sheets), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2) as modified by 1276 OG 55. As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

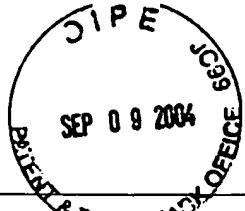
Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

September 7, 2004
Date



Anastasia Heffner (Reg. No.47,638)



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|--|---------------------------------|------------------------------|
| FORM PTO-1449 LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary) | SERIAL NO. 10/829,485 | CASE NO. 7034/110 1578 |
| | FILING DATE April 22, 2004 | GROUP ART UNIT 1578 |
| | APPLICANT(S): Robert R. Mantell | |

REFERENCE DESIGNATION **U.S. PATENT DOCUMENTS**

| EXAMINER INITIAL | DOCUMENT NUMBER Number-Kind Code (if known) | DATE | NAME | CLASS/ SUBCLASS | FILING DATE |
|------------------|--|------------|----------------------|-----------------|-------------|
| | A1 2,722,935 | 11/08/1955 | R.E. Thompson et al. | | |
| | A2 3,464,434 | 09/02/1969 | B.A. Nielsen | | |
| | A3 3,853,105 | 12/10/1974 | Kenagy | | |
| | A4 3,862,907 | 01/28/1975 | Shimotsuma et al. | | |
| | A5 3,982,533 | 09/28/1976 | Wiest | | |
| | A6 4,048,992 | 09/20/1977 | Lindemann et al. | | |
| | A7 4,109,656 | 08/29/1978 | Goethel et al. | | |
| | A8 4,207,887 | 06/17/1980 | Hiitebrandt et al. | | |
| | A9 4,245,979 | 01/20/1981 | Ito | | |
| | A10 4,464,169 | 08/07/1984 | Semm | | |
| | A11 4,640,260 | 02/03/1987 | Perez | | |
| | A12 4,676,774 | 06/30/1987 | Semm et al. | | |
| | A13 4,691,900 | 09/08/1987 | Maeda | | |
| | A14 4,699,173 | 10/13/1987 | Röhling | | |
| | A15 4,878,894 | 11/07/1989 | Sutter, Jr. et al. | | |
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| | A17 4,905,497 | 03/06/1990 | Shindo et al. | | |
| | A18 4,977,776 | 12/18/1990 | Shindo et al. | | |
| | A19 5,006,109 | 04/09/1991 | Douglas et al. | | |
| | A20 5,061,239 | 10/29/1991 | Shiels | | |
| | A21 5,121,700 | 06/16/1992 | Blackwell et al. | | |
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| | A30 5,362,310 | 11/08/1994 | Semm | | |
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| | A37 5,542,412 | 08/06/1996 | Century | | |
| | A38 5,554,112 | 09/10/1996 | Walbrink et al. | | |

| EXAMINER | DATE CONSIDERED |
|----------|-----------------|
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

| | | |
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| FORM PTO-1449 | SERIAL NO. 10/829,485 | CASE NO. 7034/110 |
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| APPLICANT(S): Robert R. Mantell | | |

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|------------------|---|------------|-------------------|-----------------|-------------|
| A39 | 5,586,974 | 12/24/1996 | Martinez et al. | | |
| A40 | 5,599,297 | 02/04/1997 | Chin et al. | | |
| A41 | 5,664,560 | 09/09/1997 | Merrick et al. | | |
| A42 | 5,728,223 | 03/17/1998 | Murakami et al. | | |
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| A47 | 5,979,474 | 11/09/1999 | Manako | | |
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| A49 | 6,068,703 | 05/30/2000 | Chen et al. | | |
| A50 | 6,076,745 | 06/20/2000 | Primdahl | | |
| A51 | 6,085,556 | 07/11/2000 | Moon | | |
| A52 | 6,092,364 | 07/25/2000 | Stellwagen | | |
| A53 | 6,116,240 | 09/12/2000 | Merrick et al. | | |
| A54 | 6,203,519 | 03/20/2001 | Fagerström et al. | | |
| A55 | 6,240,943 | 06/05/2001 | Smith | | |
| A56 | 6,299,592 | 10/09/2001 | Zander | | |
| A57 | 6,428,500 | 08/06/2002 | Koninckx | | |

| EXAMINER INITIAL | OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small> |
|------------------|---|
| A58 | Copy of serial no. 60/421,662, entitled "Dual-Capacity Insufflator Tube", filed October 28, 2002, Mantell, 23 pages. |
| A59 | Copy of serial no. 10/696,675, entitled "Dual-Capacity Insufflator Tube", filed October 28, 2003, Mantell, 29 pages. |

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